United Nations S/AC.44/2004/(02)/142

Security Council

Distr.: General
5 March 2009

Original: English

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 17 December 2007 from the Permanent Mission of Sierra Leone to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Sierra Leone presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004), and has the honour to submit herewith the national report of Sierra Leone on the implementation of the resolution (see annex).

09-25765 (E) 180309

Annex to the note verbale dated 17 December 2007 from the Permanent Mission of Sierra Leone to the United Nations addressed to the Chairman of the Committee

National report of Sierra Leone on the implementation of United Nations Security Council resolution 1540 (2004)

Introduction

Sierra Leone is of the view that, while the excessive accumulation and uncontrolled circulation of illicit small arms and light weapons, especially among non-State actors, have caused and continue to cause massive destruction of life and infrastructure in many developing countries, the existence and proliferation of nuclear and other weapons of mass destruction pose the greatest threat to humanity.

Sierra Leone therefore considers the adoption of Security Council resolution 1540 as an important contribution to disarmament and non-proliferation and the maintenance of international peace and security. While the resolution is also a contribution to protection against nuclear and radiological terrorism, Sierra Leone also believes that in order to prevent access by non-State actors to weapons of mass destruction, States should themselves take concrete and timely measures for the total elimination of such weapons.

For its part, Sierra Leone has consistently voted in favour of all resolutions of the General Assembly pertaining to disarmament and non-proliferation, including those on nuclear and other weapons of mass destruction. In 2005 under its chairmanship of the Disarmament Commission, Sierra Leone led the negotiations that broke a two-year impasse over the agenda of the Commission.

1. Responses to relevant paragraphs of resolution 1540

Sierra Leone does not possess nuclear, chemical or biological weapons. Evidently it does not provide any form of support in the development, acquisition, transportation or use of such weapons and related materials and their means of delivery. This notwithstanding, Sierra Leone is committed to support, as far as possible, international efforts and measures aimed at prohibiting the development, acquisition, possession, transfer or use of such weapons and their means of delivery in particular for terrorist purposes.

Sierra Leone is a State Party to the following major international instruments on disarmament and non-proliferation related to nuclear weapons and other weapons of mass destruction:

- The Treaty on the Non-Proliferation of Nuclear Weapons (NPT)
- The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC)
- The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC)
- The Comprehensive Test Ban Treaty (CTBT)

- The Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and Ocean Floor and in the Subsoil Thereof
- The 1925 Geneva Protocol for the Prohibition of the use in War of Asphyxiating Poisonous or other Gases and Bacteriological Methods of Warfare.

In addition, and as reported in connection with the implementation of Security Council resolution 1373, Sierra Leone is a Party to the following international instruments against terrorism:

- Convention on Offences and Certain Other Acts Committed on Board Aircraft
- Convention for the Suppression of Unlawful Seizure of Aircraft
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents
- International Convention Against the Taking of Hostages
- International Convention for the Suppression of Terrorist Bombings
- Convention for the Suppression of the Financing of Terrorism.

A member of the International Atomic Energy Agency (IAEA) since 1967, Sierra Leone has signed the NPT Comprehensive Safeguards Agreement with the Agency. It will ratify it and sign the additional protocols in due course. It signed the International Convention for the Suppression of Acts of Nuclear Terrorism on 14 September 2005. Ratification of this Convention and accession to the Convention on the Physical Protection of Nuclear Materials (CPPNM) are also under consideration.

2. Regional, subregional and other related instruments

- The Africa Nuclear Weapon Free Zone Treaty (Pelindaba Treaty), signed in 1996. The ratification process is under consideration.
- Ratification of the OAU Convention on the Prevention and Combating of Terrorism and its Protocol, signed in July 1999 is also up for consideration.
- The Protocol to the OAU Convention on the Prevention and Combating of Terrorism, signed in January 2006, will be considered in conjunction with the ratification process of the 1999 OAU Convention.

3. National measures — the Protection from Radiation Act (2001)

Sierra Leone does not have any national procedures or legislation that specifically prohibits non-State actors from manufacturing, acquiring, possessing, developing, transporting or using chemical or biological weapons and their means of delivery, in particular for terrorist purposes. It should be noted however, that the Protection from Radiation Act may be applicable to deter non-State actors from carrying out any of these activities. The Act makes adequate provisions for the safe use and disposal of irradiating devices or radioactive materials. In addition it

contains provisions for controlling through licensing the importation, exportation, manufacture, assembling, possession, use or disposal and sale of or any dealing in irradiating devices or radioactive materials. The following are among the principle functions of the Protection from Radiation Board:

(a) responsibility for all matters relating to the use and disposal of irradiating devices or radioactive materials to ensure protection of the public and workers from danger resulting from ionizing radiation;

(b) assist Government in formulating policies on the safe use and disposal of irradiating devices or radioactive materials;

(c) establish and operate a system to control importation, exportation, manufacture, possession, sale of or any dealing in irradiating devices or radioactive materials;

(d) establish and maintain a register or registers of importers, exporters, manufacturers, users and operators of devices or materials capable of producing ionizing radiation.

Under Section 9 of the Act, no person shall manufacture, or otherwise produce, possess or use, dispose of, lease, loan or deal in, import or cause to be imported or export or cause to be exported any irradiating device or radioactive material unless he is granted a licence issued under the Act.

Offences under the Act are punishable by fines and/or imprisonment and forfeiture of the irradiating device or radioactive material.

4. Conclusion

Sierra Leone is committed to the implementation of the provisions of resolution 1540 (2004). It should be noted in this regard that Sierra Leone, which is also grappling with the problems of illicit trafficking in small arms and light weapons and implementation of its obligations under regional security instruments and arrangements, has limited or no capacity to implement most of the provisions of resolution 1540; for instance, the provision concerning the development of appropriate border controls and other means to detect, deter, prevent and combat the illicit trafficking and brokering in nuclear, chemical or biological weapons and their means of delivery.

It will need assistance not only in the area of national legislation relating to its obligations under the CWC and BWC and resolution 1540, but also in the areas of training and technical/regulatory infrastructure.

Sierra Leone will soon submit its request for technical and other forms of assistance for the implementation of resolution 1540, taking into account its obligations and commitment within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention.